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**FACSIMILE**

**TO:** Mail Stop AMENDMENT  
USPTO

**FROM:** Lori F. Cuomo

**FAX NO.:** (571) 273-8300

**RE:** Response to Official Action of October 17, 2005  
Application Serial No. 10/801,458  
KINZ-005 [RMH 12775]

**# of PAGES:** 21 Including cover page

**DATE:** December 1, 2005

**MESSAGE:** Filing Response to Official Action of  
October 17, 2005

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PTO/SB/21 (00-04)

Approved for use through 07/31/2006. OMB 0651-0031

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/901,459
	Filing Date	March 15, 2004
	First Named Inventor	Dwight Eric Kinzer
	Art Unit	3742
	Examiner Name	G. Van
	Attorney Docket Number	12776
Total Number of Pages in This Submission		21

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> Alter Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	ROBERTS MLOTKOWSKI & HOBBS		
Signature	<i>Lori P. Cuomo</i>		
Printed name	LORI P. CUOMO		
Date	December 1, 2005	Reg. No.	34,527

CERTIFICATE OF TRANSMISSION/MAILING			
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Signature	<i>Annie A. Cave</i>		
Typed or printed name	Annie A. Cave	Date	December 1, 2005

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PTO/SB-17 (12-04v2)

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Effective on 12/01/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4618). <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete If Known</b> Application Number 10/801,458 Filing Date March 15, 2004 First Named Inventor Dwight Eric Kinzer Examiner Name Q. Van Art Unit 3742 Attorney Docket No. 12776	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT	(\$)	100.00	

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<b>FEE CALCULATION</b> <b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>																																																												
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<b>3. APPLICATION SIZE FEE</b> If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). <table border="1"> <thead> <tr> <th>Total Sheets</th> <th>Extra Sheets</th> <th>Number of each additional 50 or fraction thereof</th> <th>Fee (\$)</th> <th>Fees Paid (\$)</th> </tr> </thead> <tbody> <tr> <td>- 100 =</td> <td>/ 50 =</td> <td>(round up to a whole number) x</td> <td>=</td> <td></td> </tr> </tbody> </table>							Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fees Paid (\$)	- 100 =	/ 50 =	(round up to a whole number) x	=																																													
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<b>4. OTHER FEE(S)</b> Non-English Specification, \$130 fee (no small entity discount) Other (e.g., late filing surcharge): _____																																																												

<b>SUBMITTED BY</b> Signature <i>Lori F. Cuomo</i> Registration No. 44,527 Telephone 703.584.3270 Name (Print/Type) Lori F. Cuomo Date December 1, 2005			
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED  
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In re Patent Application of:

Dwight Eric Kinzer

Serial No. 10/801,458

Examiner: Q. Van

Confirm. No. 7779

Filed: MARCH 15, 2004

Group Art Unit: 3742

For: IN SITU PROCESSING OF HYDROCARBON BEARING  
FORMATION WITH VARIABLE FREQUENCY AUTOMATED CAPACITIVE  
RADIO FREQUENCY DIELECTRIC HEATING

**AMENDMENT UNDER 37 C.F.R. §1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed October 17, 2005, which sets a three month shortened statutory period for response until January 17, 2006.

If any extension of time or fees are required to maintain the pendency of the application, this is an express request for any required extension of time, and authorization to charge any required fee to Deposit Account No. 502478.

Reconsideration and allowance of the application are respectfully requested.

Amendments to the claims begin on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

12/02/2005 MGE BREM1 00000007 502478 10801458

01 FC:2201 100.00 DA